

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LANCE REBERGER,

Petitioner,

v.

RENEE BAKER, *et al.*,

Respondents.

Case No. 3:13-cv-00071-MMD-CLB

ORDER

On March 23, 2020, this Court granted relief on Ground 1 of Lance Reberger's 28 U.S.C. § 2254 petition for a writ of habeas corpus. (ECF No. 104.) The Court directed that Reberger be released from custody within 60 days unless Respondents filed a written notice of election to retry him, and the State thereafter, within 180 days, commenced proceedings towards the retrial. (*Id.* at 61.)

Reberger, through counsel, has now filed an unopposed motion for an extension of the deadline for commencement of the retrial to January 25, 2022. (ECF No. 125.) The Court's order granting habeas relief contemplated requests for reasonable modifications of the time limits set forth in that order. (ECF No. 104 at 61.) Based on this contemplation and Respondents' lack of an objection, the motion to extend the deadline for commencement of the retrial to January 25, 2022, is granted.

Reberger's *pro se*, ex parte communication regarding the extension request is also before the Court. (ECF No. 126.) Reberger is represented by the Federal Public Defender, and as this Court has previously stated in this case, a party who is represented by counsel cannot file pleadings or any other documents *pro se* without leave of this Court. See LR IA 11-6(a). The *pro se* motion is a fugitive document and will be stricken.

It is therefore ordered that Reberger's motion to extend the deadline for commencement of the retrial to January 25, 2022 (ECF No. 125) is granted.

1 It is further ordered that Reberger's *pro se* motion (ECF No. 126) shall be stricken
2 as a fugitive document.

3 DATED THIS 19th Day of July.

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6 MIRANDA M. DU
7 CHIEF UNITED STATES DISTRICT JUDGE
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